

03/31/2003 18:29 FAX 847 6464431

KRAFT FOODS, INC.

013

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :
Balance Bar Company

Serial No. : 75/774,541
Filing Date : August 12, 1999
Mark : BALANCE (stylized)
Class : 29, 30, 32
Our File No. : 41724/039

Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513
BOX RESPONSES - NO FEE

SUBSTITUTE POWER OF ATTORNEY

Sir:

Applicant hereby revokes the previous Power of Attorney and appoints the law firm of Proskauer Rose LLP, including its attorneys and the attorney named below, at 1585 Broadway, New York, New York 10036, 212/969-3000, all as members of the Bar of the State of New York, as its attorneys to prosecute this application to register, to transact all business in the Patent and Trademark Office in connection therewith and to receive the Certificate of Registration. Please have all correspondence directed to: Jenifer de Wolf Paine, Esq. 212/969-3016.

Dated: July 19, 2001

Respectfully submitted,

BALANCE BAR COMPANY

By: 

Jenifer deWolf Paine, Esq.
PROSKAUER ROSE LLP
Attorneys for Applicant
1585 Broadway
New York, NY 10036
Tel.: (212) 969-3016
Attorney for Applicant

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AMENDMENT UNDER 37 C.F.R. § 2.80

This Amendment is submitted by Balance Bar Company ("Applicant") pursuant to 37 C.F.R. § 2.80. This amendment is to delete certain goods and to revoke the previously submitted Power of Attorney and to appoint an new Attorney of Record.

Please delete the description of goods in Class 29 and substitute therefor the following:

In International Class 29: YOGURT (NON-FROZEN), DAIRY-BASED BEVERAGES, ENTREES CONSISTING PRIMARILY OF MEAT, FISH, POULTRY OR EGGS, SOY-BASED BEVERAGE USED AS A MILK SUBSTITUTE.

Please delete the identification of services in Class 30 and substitute therefor the following:

In International Class 30: FROZEN ENTREES CONSISTING PRIMARILY OF PASTA, RICE, COOKIES, PUDDINGS, CANDY, BAKERY PRODUCTS, AND GRANOLA-BASED, CEREAL-BASED, RICE-BASED AND WHEAT-BASED SNACK FOODS.

03/31/2003 16:29 FAX 847 6464431

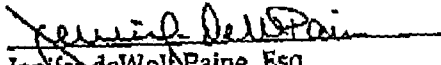
KRAFT FOODS, INC.

012

Also enclosed herewith is a Substitute Power of Attorney appointing the undersigned as the Attorney of Record.

Dated: July 19, 2001

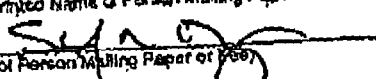
Respectfully submitted,


Jennifer deWolff Paine, Esq.
PROSKAUER ROSE LLP
Attorneys for Applicant
1585 Broadway
New York, NY 10036
Tel.: (212) 969-3016
Attorney for Applicant Balance Bar Company

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22202

STEPHEN R. DWYER
(Typed or Printed Name of Person Mailing Paper or Fee)

(Signature of Person Mailing Paper or Fee)

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Date May 14, 2003

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Company USPTO - LAW OFFICE 108

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Message

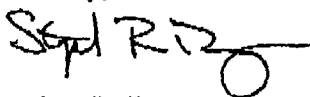
Re: BALANCE

Serial Nos. 774,541 and 75/774,542

Dear Mr. Lawrence:

As indicated in my earlier voice mail, I have enclosed for your review a copy of each of the amendments filed July 19, 2001 in connection with the above-referenced trademark applications. Please contact me as soon as possible to discuss when we can expect the amendments to be entered into the USPTO database. Thank you.

Sincerely,



Stephen R. Dwyer

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